
**DCSS P3 PROGRAM
ATTORNEY STAFFING WORKGROUP
JULY 18, 2000 MEETING
MEETING SUMMARY**

A. GENERAL

On Tuesday, July 18, 2000, the California Department of Child Support Services (DCSS) Policies, Procedures, and Practices (P3) Program, Attorney Staffing Workgroup held its first official session in Sacramento. The following members attended:

- ☒ Antonia Agerbek, County Co-Leader (DDA, Sonoma County)
- ☒ Linda Anisman (Director/DDA, Inyo County)
- ☐ Janet Ballou (Child Support Attorney, CCSAS)
- ☒ Janice Doi (Supervising DDA, Santa Clara County)
- ☒ Mike Farrell, DCSS Co-Leader (Program Improvement Manager, DCSS)
- ☒ Hossein Moftakhar, DCSS Analyst (Statistical Analyst, DCSS)
- ☒ Julie Paik (Facilitator, Los Angeles County)
- ☒ Bruce Patterson (ADA Orange County)

Ex officio:

- ☐ Jim Hennessey, Facilitator (PSI)
- ☒ Peggy Jensen, Facilitator (Director, San Mateo County)
- ☐ Barb Saunders (OCSE)
- ☒ Betsy Schmidt, Scribe (SRA International)

This meeting summary highlights points covered, material discussed, decisions made, and follow-up tasks for forthcoming sessions. Address corrections to Betsy Schmidt at betsy_schmidt@dss.ca.gov.

Nadine Herndon introduced herself as the coordinator for “housekeeping matters—nametags, lunch orders, and travel reimbursement procedures. Sharon Anthony at DCSS handles the travel directly. State may book the travel, so that you won’t have to handle it from your office.

Peggy Jensen announced availability of the following communication facilities:

Messages = (916) 263-4601
Fax = (916) 263-4745

Antonia noted that Barb Saunders, Janet Ballou, and Jim Hennessey plan to attend future sessions of the Workgroup.

B. REVIEW OF PREVIOUS MEETINGS (July 13-14)

Antonia reminded the Workgroup that they originally set two main goals: (1) define the background and experience that attorneys should bring to the child support program, and (2) define the roles of attorneys in small, medium, and large counties. At the Workgroup's second get-together, they agreed their main goal would be recommendation of an appropriate attorney/caseworker ratio. This may well entail a joint session with the Caseworker Staffing Workgroup.

The agenda for today's meeting, Antonia said, was to review the available data and write a set of survey questions for county input.

C. ADVISABILITY OF CONDUCTING SURVEY

Peggy explained that the P3 facilitators favored a single survey, with questions submitted by all the Workgroups, as opposed to each Workgroup conducting their own survey. One major reason for this coordinated approach would be to keep the county directors "in the loop" by asking them to assign the questions to the best-qualified respondent in the county.

Another option would be to pick some sample of the counties to get a range of attorney involvement models or focus on best practices. Peggy suggested that we don't need current data as much as sound recommendations. The Workgroups were, in fact, designed to represent the diversity in California counties.

Calling attention to a statistical report he had distributed, Hossein Moftakhar noted that the list of county personnel may "hide" many attorneys in the "Administrative" category. Antonia agreed, reminding us that Dennis Snapp pointed out that San Diego has over 100 attorneys (many contract attorneys) but 15 are mainly supervisors. Bruce agreed that the Workgroup probably doesn't need all the statistics we talked about at the P3 Conference in Millbrae; but we do need more than the collective wisdom of the Workgroup members. He suggested that three members, representing large, medium, small counties, contact three colleagues in similar-sized counties to acquire some information quickly.

Julie noted that two days had already been devoted to setting objectives and a calendar—that it is late to be saying we can't do the survey. Peggy pointed out that the county directors need to know what's going on, and we won't make friends by inundating people with overlapping demands on their time. Linda Anisman agreed that the burden would fall heavily on small counties and that, given the time of year, key people may not be available.

The sense of the group was mixed regarding telephone vs. e-mail survey techniques. Antonia reminded the group that they had approved doing the survey by e-mail, with phone followup. Peggy emphasized that, as a courtesy, directors need to be contacted first because everyone's so "antsy" about what's happening at the state level.

Peggy wondered whether any member of the Workgroup had themselves completed a survey for Judicial Council and, if so, did their survey overlap with the Attorney Staffing

Workgroup goals? She also wondered whether information in the 1410 questionnaire might be helpful. Julie volunteered to ask George for these questionnaires.

D. HIDDEN VARIANCES IN THE AVAILABLE DATA

Hossein pointed out that our best data are almost a year old. Total staff numbers come from two difference systems that collect the data for different purposes. Bruce suggested that large counties with Fraud Units may not have pure Child Support duties, which will distort any numbers. However, Mike was impressed by the county groupings by caseload size on page 6 of Hossein's handout.

Antonia wondered whether the state would allow for demographic differences in defining the attorney/caseworker ratio. Peggy suggested that we turn the question around: What do *we* think is appropriate in helping to design statewide automated system?

Mike and Bruce agreed that we should recommend ratio variances, approaching the issues based on large, med, small prototypes. Antonia suggested that we focus on counties with good customer service.

Janice noted that the variances would be huge; her county has no paralegals—attorneys do everything, but they are largely unsupervised. The same number of attorneys is the same in Orange and Santa Clara County staff listings, but Orange serves 35,000 more [cases? People? Clients?].

Julia described the Los Angeles process as “attorney-driven,” but there are 300 people in Call Center to handle routine customer service. The key question is the non-caseload duties of attorneys in different offices. No one person or single county will have the best answers.

Bruce said that the Orange County system uses paralegals, law clerks, and FSOs to free up attorneys to go to court. In Sonoma, according to Antonia, they are trying to give more authority to caseworkers and a legal assistant newly hired to perform discovery and all follow-up work. Antonia noted that there are quarterly meetings of like-sized Northern CA counties to talk about best practices. Peggy suggested that the Workgroup pick the counties they want to know about: all the very large counties, and smaller samples of medium, small, and very small counties. The group approved this approach.

E. PERFORMANCE/PRODUCTIVITY AS A VARIABLE IN CHOOSING SAMPLE

Hossein provided another handout (Attachment 2) that ranks the counties with respect to five federal performance measures, ranked from highest to lowest. Peggy offered to copy and distribute a new Urban Institute study that compares the counties on 21 socioeconomic and demographic factors (Attachment 3). The staffing studies recently published by the States of Washington and Colorado on staffing standards was distributed during the meeting. A chart on state standards work is also coming.

Linda pointed out that commissioners and courts expect different things, which influences staffing levels. Differences in workloads are dramatic. Julia agreed, noting that in Los Angeles, it takes about 5 hours each to file points and authorities in declaration from employers and CPs. Peggy promised to get [a relevant item on commissers] from the Judicial Council.

The problem with questioning the counties about “average caseloads” or “productivity” (time frames), Hossein said, is that all your answers will be “It depends.” We don’t want our questions to seem like we’re steering or judging; it would be better to ask what they recommend. The Workgroup agreed that many uncontrollable factors affect “time spent in court,” including complexity of case, court scheduling procedures, and so on.

Peggy pointed out that the Judicial Council gathers no data on money collected. It would be useful to set standards for Commissioners because caseload settings will affect the amount of legal resources needed by the county. Bruce contended that commissioners will never agree to productivity standards. Julia agreed to look into Judicial Council info on calendar quotas, although she noted that commissioner calendars do not give an accurate workload picture because of the tremendous ex parte activity that takes place.

The consensus of the group was to conduct a limited telephone survey, based on the questionnaire below, with weekly P3 updates to the county directors.

F. TELEPHONE SURVEY “SCRIPT”

Introduction:

I am a member of the DCSS P3 Workgroup on Attorney Staffing Ratios. *(Tell also what your regular job is—and that’s why you’re on this Workgroup.)*

The purpose for my telephone call is to gather information to help our Workgroup (1) define attorney roles and (2) make recommendations to the state on desirable attorney/caseworker ratios.

This is a semi-random survey—we want information from counties of various size, caseload, and demographics.

I expect that this interview will take about ____ minutes.

1. Tell me about the size and makeup of your legal staff:

ATTORNEYS:

DDAs with caseloads: ____ Full-time or FTEs
 ____ Part-time

Administrative Managers: ____ Full-time
 ____ Part-time

Contracted attorneys ____ Full-time
 ____ Part-time

Other ____ Full-time
 ____ Part-time

PARALEGALS: ____ Full-time
 ____ Part-time

LAW CLERKS ____ Full-time
 ____ Part-time

2. For DDAs with caseloads, roughly, what percentage of their time do they spend in the COURT BUILDING each week?

3. In the average week, how many cases will a DDA take to court?
 4. Do any of your non-attorney CASEWORKERS perform any of the following:

____ Negotiate stipulations?

____ Negotiate set-asides?

____ Negotiate SLMS release?

____ Negotiate modifications?

____ Appear at Workers Comp hearings?

____ Assist in court proceedings?
 5. Ideally, what do ***you*** think is the ideal attorney/caseworker ratio for your county?
 6. Is there anything about your automated system that affects the amount of attorney /legal staff time spent in your county—such as imaging, calendaring, and automatic filing?
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G. INTERVIEWING AND OTHER ASSIGNMENTS

- Linda will interview four SMALL counties (Humboldt, Madeira, Nevada, and Tuolumne) and five VERY SMALL counties (Colusa, Inyo, Mariposa, Colusa, and Calaveras).
- Bruce is doing all five VERY LARGE counties.
- Janice is doing three LARGE counties (Alameda, Kern, and Santa Clara), two MEDIUM LARGE counties (San Francisco and Sonoma), and three MEDIUM (Butte, San Mateo, and Shasta).

Hossein will collect the questionnaires and prepare a one-page executive summary of the findings. All material should be in his hands by July 28. If that deadline proves unworkable, send what you have to Hossein by July 28, and confirm that no more is coming.

Peggy will talk to George Nelson about Judicial Council materials.

H. AGENDA FOR NEXT MEETING

Antonia noted that the only guest speaker scheduled for the next session is Jim Hennessey, who will discuss (survey) methodology.

Linda will review and summarize the Washington and Colorado reports.

Mike will be the examiner of the other P3 workgroup meeting summaries.

Given the impact of technology on both attorney and caseworker productivity, the Workgroup had intended to invite knowledgeable speakers on each of the six PRISM system capabilities. It was Peggy's view that "ratios" assume equal efficiency throughout the state and across all interim systems (but certainly equal under the ultimate single system). System issues should be relegated to the Parking Lot.

Therefore, the next session will:

- Review surveys and Hossein's exec summary
- Guest speaker – Jim
- Review outside information including material from these sources:
 - Barbara Saunders
 - Urban Institute Report (Sorensen)
 - Judicial Council
 - Uniformity conference recommendations of DDAs
 - Minutes of Caseworker Staffing Workgroup meeting of July 28
 - Other Workgroup meeting minutes (to be "cased" by Mike)

I. ANCILLARY (PARKING LOT) ISSUES

J. ATTACHMENTS (hard copy only)

- 1.
- 2.